

REMARKS

This Response is submitted in response to the Office Action dated November 9, 2005, and in accordance with the interview courteously granted by the Examiner on January 30, 2006. Claims 1 to 50 are pending in the application. Claims 1, 3, 12, 13, 30, 42, and 44-49 have been amended to further clarify the claimed inventions. No new matter has been added by these amendments. A petition for a one-month extension of time to respond to the Office Action is submitted herewith. A check in the amount of \$120.00 is submitted herewith to cover the cost of the one-month extension. Please charge Deposit Account No. 02-1818 for any fees that are deemed necessary.

The Office Action used U.S. Patent No. 6,589,114 to Rose ("*Rose*") as prior art under 35 U.S.C. §102(e) to reject Claims 1 to 2, 4 to 7, 12 to 25, 30 to 32, 34 to 40, 42, and 47 to 50. Claims 33, 43 to 46 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Rose*. According to the Office Action, the affidavit filed by Applicants on May 25, 2004, under 37 C.F.R. §1.131 was inappropriate to disqualify *Rose* as prior art when *Rose* allegedly claims the same invention.

For at least the reasons provided below which were discussed during the interview, Applicants respectfully submit that *Rose* does not claim the same invention as recited in independent Claims 1, 12, 30, 42, 47, 48 and 49 of Applicants' application.

Rose claims the following:

1. A method of conducting a game of chance on a gaming machine controlled by a processor, comprising:
 - receiving a wager from a player;
 - displaying a sequence of value-based symbols in a symbol array having multiple rows and columns, the sequence defining a first award;
 - re-ordering the sequence of value-based symbols in view of the symbol array such that the re-ordered sequence defines a second award; and
 - awarding the second award to the player.

7. A method of conducting a game of chance on a gaming machine controlled by a processor, comprising:

receiving a wager from a player;

randomly selecting symbols for placement in a displayed symbol array including multiple rows and columns;

triggering a shuffle feature in response to the displayed symbols including a sequence of value-based symbols, the sequence defining a first award;

re-ordering the sequence of value-based symbols in view of the symbol array such that the re-ordered sequence defines a second award; and

awarding the second award to the player.

12. A game of chance for a video gaming machine controlled by a processor in response to a wager, comprising:

means for displaying a sequence of value-based symbols in a symbol array having multiple rows and columns, the sequence defining a first award;

means for re-ordering the sequence of value-based symbols in view of the symbol array such that the re-ordered sequence defines a second award; and

means for awarding the second award to the player.

13. A game of chance for a video gaming machine controlled by a processor in response to a wager, comprising:

means for randomly selecting symbols for placement in a displayed symbol array having multiple rows and columns;

means for triggering a shuffle feature in response to the displayed symbols including a sequence of value-based symbols, the sequence defining a first award;

means for re-ordering the sequence of value-based symbols in view of the symbol array such that the re-ordered sequence defines a second award; and

means for awarding the second award to the player.

Rose at least does not disclose or claim a processor operable to enable a player to select a plurality of player selectable positions in an order, associate numbers with the positions based on the player's order of selection of the positions, displays the numbers in association with the positions, wherein the numbers form a displayed value, and determine an award to be provided to the player based on a number of monetary units equal to the value displayed by the display device associated with the positions as in Claim 1.

Rose at least does not disclose or claim a processor operable to enable a player to arrange at least two of a plurality of masked numbers in an order decided by the player, display the numbers in the order decided by the player, wherein the numbers form a displayed value, and determine an award wherein the amount of the award is based on a number of monetary units equal to the displayed value of the masked numbers arranged by the player as in Claim 12.

Rose at least does not disclose or claim a processor operable to associate a plurality of numbers with a plurality of selections, enable a player to associate the selections with a plurality of positions, display the numbers of the selections associated with the positions wherein the numbers form a displayed value, and provide an award to the player based on a number of monetary units equal to the displayed value associated with the positions as in Claim 30.

Rose at least does not disclose or claim a selection orderer operable with a processor to enable a player to select at least two of a plurality of selections and order and order the selections with digits of an award. Rose also does not claim a processor operable with a display device to reveal the award by displaying a number associated with each selection in the digit selected by the player, wherein the numbers in the digits form a displayed value, and an award which is based on a number of monetary units equal to the displayed value as in Claim 42.

Rose at least does not disclose or claim a processor which associates numbers with a plurality of selections and enables a player to associate selections with a one's digit and a ten's digit of an award provided to the player as in Claim 47.

Rose at least does not disclose or claim a processor which associates numbers with a plurality of selections and enables a player to associate selections with a one's digit, a ten's digit and a hundred's digit of an award provided to the player as in Claim 48.

Rose at least does not disclose or claim an initial determination of a number of possible digits of an award provided to a player and a processor operable to associate numbers with a plurality of selections, and enables a player to associate the selections with the number of possible digits of the award provided by the initial determination to form a value of the award provided to the player as in Claim 49.

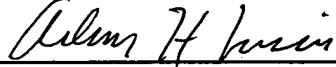
Therefore, for at least the reasons provided above, *Rose* does not disclose or claim the same invention as recited in independent Claims 1, 12, 30, 42, 47, 48 and 49. As reflected in the January 30, 2006, interview summary, the Examiner agreed with Applicants that *Rose* indeed does not claim the same invention. Accordingly, the affidavit filed on May 25, 2004, under 37 C.F.R. §1.131 is effective to overcome *Rose*, and *Rose* is disqualified as prior art.

During interview, the Examiner recommended amending Claim 1 in view of U.S. Patent No. 4,695,053 to Vazquez et al. ("*Vazquez*"). Applicants respectfully submit that *Vazquez* does not disclose, teach or suggest the claimed invention. However, to advance prosecution to place the claims in condition for allowance and to further clarify the claimed invention, Applicants have amended Claim 1 according to the Examiner's recommendation to include a processor operable with a display device and an input device to determine an award to be provided to the player, wherein the award is based on a number of monetary units equal to the value displayed by the display device associated with the positions. In addition, Claims 2, 12, 30, 42, 47, 48 and 49 have also been amended to further clarify the claimed invention. Accordingly, Applicants respectfully submit that Claims 1, 12, 30, 42, 47, 48 and 49 and the claims that depend therefrom are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Adam H. Masia
Reg. No. 35,602
Customer No. 29159

Dated: February 15, 2006